



California Environmental Protection Agency

Hot Bill List
April 21, 2006

AB 1101(Oropeza) Air pollution: diesel magnet sources.

Location: 02/09/2006-S T. & H.

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources, including stationary sources. The Air Toxics "Hot Spots" Information and Assessment Act of 1987 requires the state board to compile a list of substances that present a chronic or acute threat to public health when present in the ambient air, subjects certain facilities to the act, according to a schedule, and requires the operator of a subject facility to prepare and submit to an air district a proposed comprehensive emissions inventory plan, for approval by the district. The act requires an air district to prepare an industrywide emissions inventory for certain facilities. The act, under certain circumstances, requires a facility operator to conduct a facility toxic air contaminant risk reduction audit and to develop an emissions reduction plan. This bill would make a facility that is a diesel magnet source, as defined, subject to the act. The bill would require the state board, on or before July 1, 2007, in consultation with the air districts, to prepare and make available to the public a list of diesel magnet sources, as prescribed. The bill would require any facility for which a district is preparing an industrywide emissions inventory or health risk assessment to provide to the district, within 60 days of the date of the request, all information as may be specified by the district as necessary for the preparation of the inventory or assessment. This bill contains other related provisions and other existing laws.

AB 1333(Frommer) Grease waste haulers.

Location: 03/08/2006-S THIRD READING

Summary: Existing law generally regulates haulers of grease. Under existing law, the funds in the Environmental Enforcement and Training Account may be expended annually by the California Environmental Protection Agency, upon appropriation by the Legislature, to provide for statewide education and training programs in the enforcement of environmental laws and establish enhanced local environmental enforcement efforts. This bill would prohibit a grease waste hauler from removing grease from a grease trap or grease interceptor unless the hauler removes all grease, greasy liquid, water, and solids from the grease trap or grease interceptor each time of removal, except as specified. The bill would subject a grease waste hauler to a civil penalty for a violation of these provisions and would allow for the enforcement of these provisions only against the grease waste hauling company. This bill contains other related provisions and other existing laws.



California Environmental Protection Agency

Hot Bill List
April 21, 2006

AB 1381(Nunez) School instructional gardens: pupil nutrition.

Location: 02/09/2006-S ED.

Summary: Existing law establishes the Instructional School Gardens Program for the promotion, creation, and support of instructional school gardens by eligible educational agencies, as defined. Existing law requires that the program be administered by the State Department of Education through the allocation of one-time grants and technical assistance to applicant eligible education agencies. Existing law authorizes the department to consult with the Integrated Waste Management Board and public institutions of higher education, regarding curriculum development and evaluation of any program established pursuant to the Instructional School Gardens Program. This bill instead would require the Integrated Waste Management Board to administer the program, in consultation with the State Department of Education, the Department of Food and Agriculture, and the State Department of Health Services. This bill would align the program with the statewide environmental education program and would include an agricultural education component in the program . This bill would provide that educational agencies interested in participating in the Instructional School Gardens Program apply to the board for funding. This bill authorizes the board to establish an advisory group involving other agencies and groups with expertise in instructional school gardens, to provide technical assistance, resources, in-kind support, site visits, and other related forms of support. This bill contains other related provisions and other existing laws.

AB 1430(Goldberg) Air Contaminants.

Location: 02/02/2006-S E.Q.

Summary: Existing law requires the State Air Resources Board to develop and adopt, at a public hearing, a methodology for use by air pollution control districts and air quality management districts to calculate the value of credits issued for emission reductions from stationary, mobile, indirect, and areawide sources, including those issued under market-based incentive programs, when those credits are used interchangeably, with certain requirements. Existing law specifies that the state board shall perform specified functions in developing the methodology. Existing law also requires the state board to periodically update the methodology as it applies to future transactions, if necessary. This bill would require the Advisory Committee on Environmental Justice to review each updated methodology.

AB 1688(Niello) Illegal dumping enforcement officers.

Location: 01/26/2006-S PUB. S.

Summary: Existing laws provides that certain persons are not peace officers but may exercise the powers of arrest of a peace officer as specified, during the course and within the scope of their employment, if they receive a course in the exercise of those powers. This bill contains other existing laws.



California Environmental Protection Agency

Hot Bill List
April 21, 2006

AB 1866(Karnette) Recycling: state facilities.

Location: 04/18/2006-A NAT. RES.

Summary: Under existing law, it is the policy of the state to conserve and protect resources by encouraging the recycling of solid waste and the purchase of those recycled materials, including recycled concrete, rubberized asphalt concrete, and lead-acid batteries. Existing law also regulates the recycling and reuse of, among other things, beverage containers, plastic waste, and tires, and the manufacture of fiberglass recycled content. This bill would allow a state facility to sell, possess, or distribute a food container only if the food container is recyclable or compostable, as defined, on and after January 1, 2008. The bill would direct a state agency to require each prospective bidder, on and after January 1, 2008, to certify that it, and its agents, subsidiaries, partners, joint venturers, and subcontractors for procurement, will sell, possess, or distribute a food container at a state facility only if the food container is recyclable or compostable. The bill would provide that the requirement regarding food containers applies to the campuses of the University of California only upon the approval of the Board of Regents of the University of California. The bill would also exempt prisons and state mental health facilities until the Director of Corrections, for the prisons, or the Director of Mental Health, for the state mental health facilities, determines that the use of food containers that are recyclable or compostable would not pose a danger for persons in those facilities . This bill contains other related provisions.

AB 1870(Lieber) Air pollution: motor vehicle inspection and maintenance.

Location: 03/29/2006-A APPR.

Summary: Existing law establishes a motor vehicle inspection and maintenance (smog check) program, developed, implemented, and administered by the Department of Consumer Affairs. The duty of enforcing and administering the program is vested in the Chief of the Bureau of Automotive Repair within the department. Existing law prohibits the operation of a motor vehicle in a manner that results in the escape of excessive smoke, flame, gas, oil, or fuel residue. This bill would require the Department of Consumer Affairs to incorporate a visible smoke test into the motor vehicle inspection program by January 1, 2008, so that any visible smoke from the tailpipe or crankcase of a motor vehicle during an inspection would result in a failure of the test. The bill would provide that steam resulting from condensation by itself shall not lead to an inspection failure . The bill would authorize a motor vehicle owner who disputes the failure of a visible smoke test to seek resolution of the matter by contacting the state-designated referee. The bill would require the department, in consultation with the State Air Resources Board and interested parties, to adopt regulations to implement these provisions. This bill contains other related provisions and other existing laws.

AB 1940(Koretz) Environment: marine debris.

Location: 04/17/2006-A APPR.



California Environmental Protection Agency

Hot Bill List
April 21, 2006

Summary: Existing law, the California Coastal Act of 1976, provides for the maintenance, enhancement, or restoration of the marine environment, where feasible. This bill would require the State Coastal Commission, to the extent feasible and within its existing resources to: (1) convene a multiagency task force, consisting of specified representatives from the Department of Conservation, the State Water Resources Control Board, the California Integrated Waste Management Board, the Department of Boating and Waterways, the State Coastal Conservancy, and the San Francisco Bay Conservation and Development Commission, for the purpose of implementing a statewide marine debris reduction effort ; and (2) to undertake certain action, as specified. The bill would also make various legislative findings regarding marine debris.

AB 2078(Montanez) Pesticides.

Location: 04/20/2006-A HEALTH

Summary: Existing law generally regulates pesticide so as to protect agricultural workers, prevent birth defects, limit pesticide residue on produce, and prevent contamination of water supplies. This bill would prohibit, on or after January 1, 2007, any state agency, department, office, or board from accepting, considering, or relying upon intentional human dosing pesticide toxicological studies, as defined, in carrying out specified provisions of law, unless the study is a methyl isothiocyanate risk assessment finalized before January 1, 2006.

AB 2092(Hancock) Hazardous substance release: vapor intrusion.

Location: 04/17/2006-A E.S. & T.M.

Summary: Under existing law, the Site Designation Committee in the California Environmental Protection Agency (agency) is authorized to designate an administering agency for oversight of a remedial action to a hazardous substance release. Existing law requires the administering agency to supervise the site investigation and remedial action conducted by the responsible party and, upon determining that the site investigation and remedial action has been satisfactorily completed, to issue a certificate of completion to the responsible party. This bill would require the agency, by January 1, 2008, in coordination with the ombudsperson, the department, the state water board, the regional boards, the California Integrated Waste Management Board, and specified local agencies, to compile, using existing data sources, a summary of sites with known or potential vapor intrusion, as defined, from a hazardous substance release on the site or migrating onto the site. The bill would require the agency to post the summary and related information collected pursuant on the agency's Internet Web site and to update the information by January 1, 2009, and annually thereafter. This bill contains other related provisions and other existing laws.

AB 2118(Matthews) Solid waste.

Location: 04/20/2006-A U. & C.

Summary: The California Integrated Waste Management Act of 1989 establishes an integrated waste management program administered by the California Integrated Waste



California Environmental Protection Agency

Hot Bill List
April 21, 2006

Management Board and requires the board and local agencies to promote specified waste management practices, in order of priority. Under existing law, the act requires each city, county, and regional agency, if any, to develop a source reduction and recycling element of an integrated waste management plan containing specified components. The 1st and each subsequent revision of the element is required to divert 50% of the solid waste subject to the element, on and after January 1, 2000, through source reduction, recycling, and composting activities, except as specified. The act defines terms, including the term "compost." This bill would define the terms "composting operation " and "composting facility " for purposes of the act. . This bill contains other related provisions.

AB 2127(Tran) Hazardous waste: alkaline batteries.

Location: 04/18/2006-A E.S. & T.M.

Summary: Existing law defines the term batteries, for purposes of the hazardous waste control laws, as primary or secondary batteries, including nickel-cadmium, alkaline, carbon-zinc, and other batteries generated as waste , that are not subject to the federal Resources Conservation and Recovery Act of 1976 (RCRA). Existing law authorizes the Department of Toxic Substances Control to exempt, by regulation, from the hazardous waste control laws, specified hazardous waste management activities until January 1, 2008, including hazardous waste batteries, if those wastes are identified as a universal waste and meet other specified requirements. Existing law authorizes the California Integrated Waste Management Board to conduct a study on the disposal and recyclability of household batteries. This bill would define terms, would provide that alkaline batteries produced by a household incidental to owning or leasing and maintaining a place of residence are not hazardous waste, and would authorize those alkaline batteries to be managed as nonhazardous solid waste, if disposed of in a solid waste landfill facility that is issued a solid waste facilities permit to accept solid waste. The bill would also allow alkaline batteries produced by a conditionally exempt small quantity universal waste generator to be managed as nonhazardous solid waste, if those alkaline batteries are disposed in a solid waste, landfill facility that is issued a solid waste facilities permit to accept solid waste and the generator complies with the applicable requirements regarding universal waste, except as specified. The bill would repeal these exemptions on January 1, 2008, unless a later enacted statute deletes or extends that date. This bill contains other related provisions.

AB 2144(Montanez) Hazardous materials: land use.

Location: 04/05/2006-A APPR.

Summary: Existing law, the California Land Reuse and Revitalization Act of 2004, until January 1, 2010, provides that an innocent landowner, a bona fide purchaser, or a contiguous property owner, as defined, qualifies for specified immunity from liability for response costs or damage claims with regard to a site in an urban infill area, if the innocent landowner, bona fide purchaser, or contiguous property owner meets specified conditions. The act defines the term "agency" as meaning the Department of Toxic



California Environmental Protection Agency

Hot Bill List
April 21, 2006

Substances Control, the State Water Resources Control Board, or a California regional water quality control board. This bill would revise the public participation procedures that are required to be included in the response plan, including requiring the agency, 30 days before taking action on the response plan, to notify all other appropriate governmental entities and local agencies, including, but not limited to, the department, the regional board, or a redevelopment agency, that is not party to the response plan regarding the proposed response action. The bill would also require the agency to place a notice in a newspaper of general circulation, as specified, and post notice of the proposed response plan on the site. This bill contains other related provisions and other existing laws.

AB 2151(Villines) California Environmental Protection Agency: rules: scientific peer review.

Location: 04/20/2006-A NAT. RES.

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. This bill would add to that definition of "rule" any policy adopted by the State Air Resources Board or any air quality management district or air pollution control district that has the effect of a regulation and that is adopted in order to implement or make effective a statute. This bill contains other existing laws.

AB 2155(Wolk) Hazardous waste: treatment: pharmaceutical activities.

Location: 04/19/2006-A E.S. & T.M.

Summary: Existing law requires hazardous waste facilities, including, but not limited to, treatment facilities, to operate under hazardous waste facilities permits or other grants of authorization issued by the Department of Toxic Substances Control. Existing law exempts from the requirements relating to generators, tanks, and tank systems imposed pursuant to the hazardous waste control laws, and from the requirement to obtain a hazardous waste facilities permit, biotechnology elementary neutralization activities, as defined. A violation of the hazardous waste control laws is a crime. This bill would additionally exempt pharmaceutical neutralization activities from those requirements, if specified conditions are met with regard to the pharmaceutical manufacturing or process development activities that generate or use the hazardous waste subject to the neutralization treatment and if the operator of the pharmaceutical neutralization unit complies with specified requirements. This bill contains other related provisions and other existing laws.



California Environmental Protection Agency

Hot Bill List
April 21, 2006

AB 2264(Pavley) State motor vehicles fleets.

Location: 04/19/2006-A B. & P.

Summary: Existing law makes it the policy of the state to minimize the economic and environmental costs due to the use of petroleum-based fuels and other transportation fuels by state agencies. Existing law requires the State Energy Resources Conservation and Development Commission (Energy Commission), the Department of General Services (department), and the State Air Resources Board, in consultation with other state agencies as specified, to develop and adopt fuel-efficiency specifications governing the purchase by the state of motor vehicles and replacement tires. Existing law requires the Energy Commission and the department, in developing the specifications, to jointly conduct a study to examine state vehicle purchasing patterns and to analyze the costs and benefits of reducing the energy consumption of the state fleet by no less than 10% on or before January 1, 2005. This bill would require, on or before June 1, 2007, the department in consultation with the Energy Commission to establish a minimum fuel economy standard for the purchase of all state fleet vehicles powered by internal combustion engines utilizing fossil fuels, including passenger vehicles and light duty trucks. The bill would require that on or before January 1, 2008, new state fleet purchases of these vehicles by all state entities, as defined, would have to meet this minimum fuel economy standard. The bill would exclude authorized emergency vehicles and certain other identified vehicles from this requirement. This bill contains other existing laws.

AB 2271(Koretz) Household batteries: recycling.

Location: 04/17/2006-A E.S. & T.M.

Summary: The Rechargeable Battery Recycling Act of 2006 requires, on and after July 1, 2006, a retailer, who is defined as a person who makes a retail sale of a rechargeable battery to a consumer in this state, to have in place a system for the acceptance and collection of used rechargeable batteries for reuse, recycling or proper disposal. Existing law prohibits the sale by a retailer of a rechargeable battery to a consumer after July 1, 2006, unless the retailer complies with that act. This bill would enact the California Household Battery Recycling Act, define terms, and establish a refund value of 10 for every household battery subject to the act. The bill would require a distributor of household batteries to pay the refund value to an unspecified department for every household battery sold or offered for sale, in this state, or imported into this state, by the distributor. all amounts paid as refund values by distributors into the California Battery Recycling Fund, which the bill would create in the State Treasury. The bill would continuously appropriate the money in that fund to the department for expenditure without regard to fiscal year to make specified payments and grants pursuant to the act, as specified. This bill contains other related provisions.

AB 2315(McCarthy) Energy: California Renewables Portfolio Standard Program.

Location: 04/04/2006-A U. & C.



California Environmental Protection Agency

Hot Bill List
April 21, 2006

Summary: The Public Utilities Act imposes various duties and responsibilities on the Public Utilities Commission with respect to the purchase of electricity, and requires the commission to review and adopt a procurement plan and a renewable energy procurement plan for each electrical corporation pursuant to the California Renewables Portfolio Standard Program. The California Renewables Portfolio Standard Program requires the State Energy Resources Conservation and Development Commission (Energy Commission) to certify eligible renewable energy resources, to design and implement an accounting system to verify compliance with the renewables portfolio standard by retail sellers, and to allocate and award supplemental energy payments, pursuant to the Renewable Energy Resources Program administered by the Energy Commission, to cover above-market costs of renewable energy. This bill would make nonsubstantive clarifying changes to the requirements placed upon the Energy Commission under the California Renewables Portfolio Standard Program. This bill contains other related provisions.

AB 2394(Aghazarian) Minor violations: air pollution: water quality.

Location: 03/28/2006-A NAT. RES.

Summary: Existing law authorizes the State Air Resources Board, air pollution control and air quality management districts, the State Water Resources Control Board, and the California regional water quality control boards to conduct inspections for violations of law. Existing law requires the State Water Resources Control Board and the regional water quality control boards to determine the types of violations that are minor violations and requires a representative of those agencies who, in the course of conducting an inspection, detects a minor violation, to issue a notice to comply, as specified. Existing law requires the State Water Resources Control Board, on or before January 1, 2000, to report to the Legislature on actions taken relating to the implementation of those provisions related to minor violations. Existing law generally makes any air pollution violation a crime. This bill would impose these requirements to determine the types of violations that are minor violations, and to require a representative, in the course of conducting an inspection, detects a minor violation, to issue a notice to comply, to the State Air Resources Board and the air pollution control and air quality management districts. The bill would prescribe related requirements and procedures, and would make a false statement of compliance submitted under those procedures a crime. The bill would also delete the provision requiring the State Water Resources Control Board, on or before January 1, 2000, to report to the Legislature on the implementation of provisions related to minor violations. This bill contains other related provisions and other existing laws.

AB 2444(Klehs) Congestion management and motor vehicle environmental mitigation fees.

Location: 04/18/2006-A L. GOV.

Summary: Existing law provides for the imposition by air districts and other local agencies of fees on the registration of motor vehicles in certain areas of the state that



California Environmental Protection Agency

Hot Bill List
April 21, 2006

are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles. This bill would authorize the congestion management agencies in the 9 Bay Area counties, by a 2/3 vote of all of the members of the governing board, to impose an annual fee of up to \$5 on motor vehicles registered within those counties for a program for the management of traffic congestion. The bill would require a program with performance measures and a budget to be adopted before the fee may be imposed. The bill would require the agency to have an independent audit performed on the program and to submit a report to the Legislature on the program by July 1, 2011. The bill would require the Department of Motor Vehicles, if requested, to collect the fee and distribute the net revenues, after deduction of specified costs, to the agency. The bill would require that the fees collected may only be used to pay for programs bearing a relationship or benefit to the owners of motor vehicles paying the fee, and would require the agency to make a specified finding of fact in that regard by a 2/3 vote. This bill contains other related provisions.

AB 2501(Lieu) Aircraft emissions: Santa Monica Airport.

Location: 04/18/2006-A NAT. RES.

Summary: Existing law, the Lewis-Presley Air Quality Management Act, establishes the South Coast Air Quality Management District (south coast district) as the sole and exclusive local agency within those portions of the Counties of Los Angeles, Orange, Riverside, and San Bernardino that are included within the South Coast Air Basin. This bill would require the Santa Monica Airport commencing on January 1, 2007, to monitor and record the engine type and operation times of the landing and takeoff operation (LTO) cycles, as specified, of all aircraft for one year, as specified, and make this data available to the public no later than February 1, 2008, thereby creating a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 2522(Nava) Groundwater protection: septic tank systems.

Location: 04/19/2006-A E.S. & T.M.

Summary: Under existing law, the State Water Resources Control Board and the California regional water quality control boards are among the principal agencies with primary regulatory authority over water. Existing law divides the state into 9 regions and establishes a regional water quality control board for each of the regions to perform specified functions, including, but not limited to, reporting to the state board and the appropriate local health officer any case of suspected contamination in the region. Existing law permits a regional board, in a water quality control plan or in waste discharge requirements, to specify certain conditions or areas where the discharge of waste, or certain types of waste, will not be permitted. This bill would create the Groundwater Protection Fund and would, upon appropriation by the Legislature, authorize the state board to make grants from that fund, in the amount of up to \$12,000 for each eligible homeowner's parcel, as defined, to County Service Area No. 34 in Ventura County to help reduce the cost to each homeowner to hook up to a public



California Environmental Protection Agency

Hot Bill List
April 21, 2006

sewer system where homeowners are prohibited from using their septic tank systems by the Los Angeles Regional Water Quality Control Board. A homeowner would be eligible for a grant if his or her annual income does not exceed 200% of the federal poverty level applicable to a family of the size involved. The bill would limit the grant to one connection per parcel. This bill contains other related provisions and other existing laws.

AB 2791(Ruskin) Vehicle emissions.

Location: 04/17/2006-A TRANS.

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. This bill would require the state board to develop and administer a clean vehicle discount program that would, starting with model year 2009 vehicles, provide discounts to vehicles that emit low amounts of greenhouse gasses and criteria pollutants, as specified, and would require surcharges for vehicles that emit large amounts of greenhouse gasses and criteria pollutants, as specified. This bill would create the Clean Vehicle Incentive Account to be administered by the state board, and require that all funds collected from the surcharges be deposited into this account. Moneys in the fund would be continuously appropriated to the state board without regard to fiscal year to fund the program.

AB 2823(Ruskin) Air pollution: district compliance programs.

Location: 04/19/2006-A NAT. RES.

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law permits a district to establish by regulation a permit system, as provided. Existing law also requires each district with a population of one million or more to establish a compliance program consisting of specified elements, including procedures to ensure the consistent issuance of notices of compliance and notices of violations. This bill would require a district that has a population of one million or more, for any notice of violation of specified nuisance laws and regulations, to post a copy of the notice of violation on the district's Internet Web site, no more than 2 days after ensuring that the information on the notice is accurate, thereby imposing a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 2824(Ruskin) Air pollution: air toxics emissions inventory.

Location: 04/19/2006-A NAT. RES.



California Environmental Protection Agency

Hot Bill List
April 21, 2006

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution, and air pollution control districts and air quality management districts with the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law requires the state board to develop a program to compile and make available to other state and local agencies and the public specified air toxics emissions data. This bill would require the state board, commencing no later than January 1, 2008, to make the Internet Web site created by the state board to fulfil this requirement more user-friendly and accessible to the general public, as specified. The bill would require the air districts to submit to the state board by January 1, 2008, and annually thereafter, updated air toxics emissions inventory data, as specified, thereby creating a state-mandated local program. This bill contains other related provisions and other existing laws.

AB 2825(Ruskin) School sites: hazardous emissions and substances: environmental impact.

Location: 04/20/2006-A NAT. RES.

Summary: Existing law, the Leroy F. Greene State School Building Lease-Purchase Law of 1976, provides bond funds for the construction, reconstruction, modernization, and replacement of school facilities and the performance of deferred maintenance activities on school facilities. Existing law prohibits the approval by the governing board of a school district of the acquisition of a school site by a school district unless prescribed conditions relating to hazardous air emissions or hazardous or acutely hazardous materials, substances, or waste are satisfied, including the identification of specified facilities within that district's authority and the making of specified written findings regarding the health risks from the facilities, corrective measures, potential mitigation measures, or a severe shortage of sites. This bill would revise those provisions to additionally require the identification of both existing and proposed facilities that emit hazardous air emissions or handle extremely hazardous substances, hazardous substances, or hazardous waste within that school district's authority. This bill contains other related provisions and other existing laws.

AB 2865(Torrico) School safety.

Location: 04/18/2006-A HUM. S.

Summary: Existing law, the Health Schools Act of 2000 requires that the preferred method of managing pests at schoolsites be to use effective, least toxic pest management practices and requires schoolsites to maintain records of all pesticides used at the schoolsite for a period of 4 years. Existing law requires schools to provide all staff and parents or guardians of pupils enrolled at a school written notification of, among other things, expected pesticide use at that site. This bill would expand the definition of "schoolsites" as used in these provisions to also include private child day care facilities, as specified with the exception of facilities operated in a rental property.



California Environmental Protection Agency

Hot Bill List
April 21, 2006

This bill would also require property owners to notify tenants who operate a child day care facility of their pest management practices . This bill would also require child day care facilities to inform contractors hired to apply pesticide at the schoolsite that the facility must comply with the act .

AB 2901(Wolk) Mercury monitoring and remediation.

Location: 04/20/2006-A E.S. & T.M.

Summary: Under the Porter-Cologne Water Quality Control Act, the State Water Resources Control Board and the California regional water quality control boards are the principal state agencies with regulatory authority over water quality. Under the federal Clean Water Act, each state is required to identify those waters for which prescribed effluent limitations are not stringent enough to implement applicable water quality standards and to establish, with regard to those waters, total maximum daily loads, subject to the approval of the United States Environmental Protection Agency, for certain pollutants at a level necessary to implement those water quality standards. This bill would enact the Mercury Monitoring and Remediation Act. The bill would establish the Mercury Monitoring and Remediation Fund in the State Treasury to be administered by the state board. The bill would authorize the state board to expend the money in the fund, upon appropriation by the Legislature, for grants for mercury monitoring, projects that reduce mercury levels, certain cost-sharing incentive payments, public education and outreach, and assistance to local public entities and nonprofit organizations for the development and implementation of mercury monitoring and remediation plans. This bill contains other related provisions.

AB 3001(Pavley) Electronic waste: personal computers

Location: 04/18/2006-A APPR.

Summary: Existing law, the Electronic Waste Recycling Act of 2003, requires a retailer selling a covered electronic device in this state to collect a covered electronic waste recycling fee from the consumer, as specified. Under existing law, the fees are deposited in the Electronic Waste Recovery and Recycling Account, and the California Integrated Waste Management Board and the Department of Toxic Substances Control are continuously appropriated the money in the account to make electronic waste recovery payments and recycling payments and to make payments to manufacturers, to cover the costs of collecting, consolidating, transporting, receiving, processing, and recycling covered electronic waste in this state, as specified. This bill would provide that, on and after July 1, 2007, a covered electronic device also includes a personal computer, as defined, thereby imposing a state-mandated local program by creating new crimes. The bill would require a retailer to collect of fee of \$6 from the consumer at the time of the retail sale of the personal computer, except as specified. The bill would make conforming changes to the act with regard to those electronic devices. This bill contains other related provisions and other existing laws.



California Environmental Protection Agency

Hot Bill List
April 21, 2006

AB 3018(Lieber) Air pollution: indoor air pollution.

Location: 04/18/2006-A APPR.

Summary: Under existing law, the State Air Resources Board is the state agency charged with coordinating efforts to attain and maintain ambient air quality standards. Existing law requires the state board to identify toxic air contaminants that are emitted into the ambient air of the state. Existing law also requires the state board to adopt airborne toxic control measures to reduce the emissions of toxic air contaminants from nonvehicular sources. This bill, in addition, would require the state board, in consultation with the State Department of Health Services, and other appropriate local, state, or federal agencies , to develop and establish a program for the prevention and control of indoor air pollution that includes education and community outreach, indoor air quality guidelines , and emission standards or other measures that limit the emissions of air contaminants from indoor sources of air pollution that may cause or contribute to adverse health effects . The bill would require the state board to first develop and adopt emission standards, or other indoor air pollution prevention and control measures determined to be necessary, cost-effective, and technologically feasible for those contaminants given the highest priority by the state board as posing the greatest threat to human health. The bill would require that the state board adopt emission standards or other indoor air pollution prevention and control measures for at least 2 source categories by December 31, 2011. The bill would authorize the state board, after having addressed the high priority emission source categories, to develop and adopt additional emission standards or other measures determined to be necessary, cost-effective, and technologically feasible to reduce public exposure to emission source categories that are given lower priority by the board .

SB 1070(Kehoe) Water quality information.

Location: 09/06/2005-S INACTIVE FILE

Summary: Existing law, the Porter-Cologne Water Quality Control Act, requires the State Water Resources Control Board, in conjunction with the California regional water quality control boards, to implement a public information program on matters involving water quality and to maintain an information file on water quality research and other pertinent matters. This bill would require the state board to place on its Web site a public information file on water quality research, standards, regulation, enforcement, and other pertinent matters, as prescribed. This bill contains other related provisions and other existing laws.

SB 1294(Ducheny) Geothermal wastes: exemption.

Location: 04/04/2006-S APPR.

Summary: Existing law regulates the management of hazardous waste and requires the Department of Toxic Substances Control to develop criteria and guidelines for the identification of hazardous waste. Existing law exempts geothermal waste resulting from drilling for geothermal resources from those management requirements. A violation of the hazardous waste control laws is a crime. This bill would exempt from the hazardous



California Environmental Protection Agency

Hot Bill List
April 21, 2006

waste control laws geothermal waste generated from the exploration, development, or production of geothermal energy that does not result from drilling for geothermal resources, if the geothermal waste meets specified management requirements and conditions, including that the waste is a hazardous waste that is exempt from the federal Resource Conservation and Recovery Act of 1976 (RCRA). Since a violation of the bill's requirements would be a crime, the bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

SB 1347(Machado) Water: solar evaporators.

Location: 03/29/2006-S APPR.

Summary: Existing law requires the State Water Resources Control Board, on or before April 1, 2003, to adopt emergency regulations that establish minimum requirements for the design, construction, operation, and closure of a solar evaporator, as defined. Existing law prohibits a California regional water quality control board, on and after January 1, 2008, from issuing a written notice of authority to operate a solar evaporator, as specified. This bill would delete the date reference for the state board's adoption of emergency regulations for a solar evaporator. The bill would delete the prohibition of a California regional water quality control board, on and after January 1, 2008, issuing a written notice of authority to operate a solar evaporator, as specified.

SB 1377(Soto) State Air Resources Board: memorandum of understanding.

Location: 03/02/2006-S E.Q.

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law requires the state board to do those acts as may be necessary for the proper execution of the powers and duties granted to, and imposed upon, the state board by law. This bill would authorize the state board to enter into an agreement, including a memorandum of understanding, with a public or private entity, as provided, and would require the state board to perform specified functions in entering into an agreement. The bill would require the state board to submit annual reports on all existing agreements to the Legislature, as provided. The bill would provide that its provisions apply retroactively to any memorandum of understanding or agreement entered into by the executive officer of the state board on or after June 1, 2005, and would state legislative findings and declarations and legislative intent regarding its application to a designated document.

SB 1425(Kuehl) Groundwater extraction.

Location: 04/04/2006-S APPR.

Summary: Existing law, with certain exceptions, requires a person who, after 1955, extracts groundwater in excess of 25 acre-feet in any year in the Counties of Riverside, San Bernardino, Los Angeles, and Ventura to file with the State Water Resources Control Board an annual notice of extraction. Existing law, with certain exceptions,



California Environmental Protection Agency

Hot Bill List
April 21, 2006

provides that, after 1959, the failure to file a notice for any calendar year within 6 months after the close of that calendar year is equal to nonuse of the groundwater in those counties for that calendar year by each person failing to so file. Existing law requires each person who extracts groundwater in a board-designated local area and who is otherwise subject to these described provisions, to file the required notice with a local public agency or court-appointed watermaster that has been designated by the board to receive the notice (local agency), instead of the board. Existing law defines "board-designated local area" as the area entirely within the jurisdiction of the local agency that the board has determined are to be subject to these provisions. Existing law authorizes the board to designate an entity as a local agency for those purposes if the board determines the local agency meets specified requirements, including a requirement that the entity has volunteered to be designated. This bill would modify the definition of "board-designated local area" to include any area for which the local agency has formally agreed to accept the required notice. The bill would require the board to designate an entity as a local agency if the board determines the local agency meets specified requirements.

SB 1458(Simitian) Hazardous substances: illegal drug labs: cleanup funding.

Location: 04/17/2006-S JUD.

Summary: Existing law requires the Department of Toxic Substances Control to take removal actions with respect to a hazardous substance that is an illegal controlled substance, a precursor of a controlled substance, or a material intended to be used in the unlawful manufacture of controlled substances, and the department is authorized to expend funds appropriated from the Illegal Drug Lab Cleanup Account in the General Fund for this purpose. Existing law requires the account to be funded by moneys appropriated directly from the General Fund. This bill would enact the Illegal Drug Lab Waste Cleanup Act, define terms, and establish a procedure to determine the annual cost for taking removal and remedial actions to clean up drug lab waste, as defined, by requiring the development of an annual work plan and cost estimate. The bill would require the department, by September 1, 2007, and by every September 1 annually thereafter, to set the amount of a fee upon the first manufacturing or importation of pseudoephedrine by a manufacturer or importer, in this state, at an amount sufficient to fund the annual work plan, but not more than a specified amount. This bill contains other related provisions.

SB 1505(Lowenthal) Fuel: hydrogen alternative fuel.

Location: 04/05/2006-S E.Q.

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Under existing law, the state board, in conjunction with other state agencies, is required to develop and adopt a state plan to increase the use of alternative fuels, as defined. Existing law also requires



California Environmental Protection Agency

Hot Bill List
April 21, 2006

retail sellers, as defined, to procure a specified percentage of electricity generated by eligible renewable energy resources, as defined, called a renewables portfolio standard. This bill would declare the Legislature's intent that, when the California Hydrogen Highway Blueprint Plan, is implemented, it be done so in a clean and environmentally responsible and advantageous manner. The bill would require the state board to adopt regulations that will ensure that state funding for the production and use of hydrogen fuel, as described in the California Hydrogen Highway Blueprint Plan, contributes to the reduction of greenhouse gas, criteria air pollutant, and toxic air contaminant emissions, as specified. This bill contains other related provisions.

SB 1511(Ducheny) Renewable fuels: regulations.

Location: 03/09/2006-S T. & H.

Summary: Existing law imposes various limitations on emissions of air contaminants for the control of air pollution from vehicular and nonvehicular sources. Existing law generally designates the State Air Resources Board as the state agency with the primary responsibility for the control of vehicular air pollution. Existing law permits the state board to adopt and implement motor vehicle emission standards, in-use performance standards, and motor vehicle fuel specifications for the control of air contaminants and sources of air pollution that the state board has found to be necessary, cost effective, and technologically feasible, as provided. This bill would require the state board, as a part of the California Phase 3 Reformulated Gasoline regulations update to be concluded by January 1, 2007, to amend existing California cleaner burning gasoline regulations, as defined, to optimize the regulations for the increased use of renewable fuels in the California transportation fuel market, as specified. This bill contains other related provisions.

SB 1601(Lowenthal) Air pollution: marine ports: emissions.

Location: 04/04/2006-S APPR.

Summary: Existing law designates air pollution control districts and air quality management districts as having the primary responsibility for the control of air pollution from all sources other than vehicular sources. Existing law also designates the State Air Resources Board as the state entity responsible for the coordination and review of all levels of government in their efforts to control air pollution. Existing law imposes certain restrictions on truck idling at marine terminals and ports. This bill would require a marine port, as specified, to require, as an express condition of any approved new lease or significantly renegotiated existing lease, as defined, that the lessee use best available control technology (BACT) to reduce particulate matter (PM) and nitrous oxide (NOx) emissions from specified source categories. The bill would require a marine port, if, despite compliance with the above, NOx or PM emissions at a marine port continue to increase, to require as an express condition of the lease that the lessee offset any increase with a further reduction in emissions of the same pollutant from operations at the leased property or from other emissions sources at the marine port that are not otherwise required by the bill to be reduced through the use of BACT. This bill would



California Environmental Protection Agency

Hot Bill List
April 21, 2006

require, on or before June 1, 2007, the state board to provide guidance to each port and its lessees regarding what constitutes BACT by developing BACT guidelines, as specified. This bill contains other related provisions and other existing laws.

SB 1640(Kuehl) Water.

Location: 03/09/2006-S N.R. & W.

Summary: Under existing law, the Department of Water Resources operates the State Water Project, which includes state water facilities, as defined. This bill would require the department, commencing in 2007, and every 2 years thereafter, to prepare and deliver to all State Water Project contractors, all city and county planning departments, and all regional and metropolitan planning departments within the project service area a report that accurately sets forth, under a range of hydrologic conditions, the then-existing overall delivery capability of the project facilities and the allocation of that capacity to each contractor. This bill contains other related provisions and other existing laws.

SB 1795(Machado) Groundwater recharge.

Location: 03/09/2006-S N.R. & W.

Summary: Under existing law, the right to water or to the use of water is limited to that amount of water that may be reasonably required for the beneficial use to be served. Existing law declares that the storing of water underground, and related diversions for that purpose, constitute a beneficial use of water if the stored water is thereafter applied to the beneficial purposes for which the appropriation for storage was made. This bill would declare that the recharging of a groundwater basin by a local agency for the purpose of repelling saline intrusion and recovering basin groundwater levels constitutes a beneficial use of water if the recharge is consistent with management objectives set forth in a local agency's groundwater management plan. The bill would require that every application for a permit to appropriate water for groundwater recharge purposes set forth specified information.

SB 1797(Perata) Hazardous waste: identification.

Location: 03/09/2006-S E.Q.

Summary: Existing law provides for the regulation of hazardous waste under the hazardous waste control laws by the Department of Toxic Substances Control. Existing law requires the department to develop and adopt, by regulation, criteria and guidelines for the identification of hazardous waste, as specified. Existing law provides that except as otherwise provided, a regulation adopted pursuant to that requirement for the identification of hazardous waste, as it read on January 1, 1995, that is in effect on January 1, 1995, shall be deemed to comply with the intent of that requirement. This bill would delete the provision that those specified regulations shall be deemed to comply with the intent of that requirement.

For additional information on these bills and others, please visit www.leginfo.ca.gov.